

**Baker & Hostetler LLP**

45 Rockefeller Plaza

New York, NY 10111

David J. Sheehan

Keith R. Murphy

George Klidonas

Jessie A. Kuhn

Telephone: (212) 589-4200

Facsimile: (212) 589-4201

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

SIPA LIQUIDATION

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

(Substantively Consolidated)

Defendant.

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In re:

BERNARD L. MADOFF,

Debtor.

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IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-05096 (SMB)

Plaintiff,

v.

HARRY SCHICK,

Defendant.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL  
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendant Harry Schick, by and through his counsel, Frejka PLLC, (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 2, 2010, the Trustee filed and served the Complaint against Defendant, which sought the avoidance of transfers from BLMIS to the Defendant made two years prior to December 11, 2008.
2. On April 17, 2014, Defendant served an answer on the Trustee.
3. On December 16, 2015, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding.
5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.
6. This Stipulation may be signed by the Parties in any number of counterparts, each

of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: January 7, 2016

**BAKER & HOSTETLER LLP**

/s/ Keith R. Murphy  
45 Rockefeller Plaza  
New York, New York 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Keith R. Murphy  
Email: kmurphy@bakerlaw.com  
George Klidonas  
Email: gklidonas@bakerlaw.com  
Jessie A. Kuhn  
Email: jkuhn@bakerlaw.com

**FREJKA PLLC**

/s/ Elise S. Frejka  
733 Third Avenue  
New York, New York 10017  
Telephone: (212) 641-0800  
Elise S. Frejka  
Email: efrejka@frejka.com  
Jason Rappaport  
Email: jrappaport@frejka.com

*Attorneys for Harry Schick*

*Attorneys for Irving H. Picard, Trustee for the  
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and the Estate of Bernard L. Madoff*

SO ORDERED

/s/ STUART M. BERNSTEIN  
HON. STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE

Dated: January 7<sup>th</sup>, 2016  
New York, New York